

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 Francisco Arcibal,

5 Plaintiff,

6 v.

7 Barbara Schifalacqua, et al.,

8 Defendants.  
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Case No. 2:22-cv-01984-JAD-BNW

**REPORT AND RECOMMENDATION**

11 The Court previously screened Plaintiff's complaint, dismissed Plaintiff's complaint  
12 without prejudice, and ordered Plaintiff to file an amended complaint (if he so chose). *See* ECF  
13 No. 6. Plaintiff was given until January 15, 2023 to amend his complaint. *Id.* at 4. The Court  
14 advised Plaintiff that if he did not file an amended complaint by this date, the Court would  
15 recommend that this case be dismissed. *Id.* Plaintiff subsequently filed a motion for an extension  
16 of time to file his amended complaint. ECF No. 11. The Court granted this motion and gave  
17 Plaintiff until February 3, 2023 to file his amended complaint. ECF No. 14. Since this order,  
18 however, Plaintiff has not filed anything in his case. Accordingly, he appears to have abandoned  
19 his case.

20 IT IS THEREFORE RECOMMENDED that Plaintiff's case be dismissed without  
21 prejudice and this case closed.


22 IT IS FURTHER RECOMMENDED that Plaintiff's motion for a preliminary injunction  
23 (ECF No. 4) and Plaintiff's motion to proceed *in forma pauperis* (ECF No. 8) be DENIED as  
24 moot.

25 **NOTICE**

26 This report and recommendation is submitted to the United States district judge assigned  
27 to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation  
28 may file a written objection supported by points and authorities within fourteen days of being

1 served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely  
2 objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153,  
3 1157 (9th Cir. 1991).

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5 DATED: February 21, 2023

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8 BREND A WEKSLER  
9 UNITED STATES MAGISTRATE JUDGE  
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